

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:21-cv-00274

**Jalil Rajaii Floyd,**  
*Plaintiff,*

v.

**Officer Polite et al.,**  
*Defendants.*

**O R D E R**

Plaintiff Jalil Rajaii Floyd, a prisoner in the Texas Department of Criminal Justice, Correctional Institutions Division proceeding pro se, filed this lawsuit complaining of alleged violations of his rights. The sole remaining issue in the case is plaintiff's claims under the Americans with Disabilities Act against the Texas Department of Criminal Justice and the University of Texas Medical Branch. The case has been referred to United States Magistrate Judge John D. Love.

Defendants filed a combined motion to dismiss and motion for judgment on the pleadings. The magistrate judge issued a report recommending that the combined motion be denied and that the University of Texas Medical Branch be required to answer the lawsuit (the Texas Department of Criminal Justice having already done so). No objections have been filed.

When there have been no timely objections to a magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report and being satisfied that it contains no clear error, the court accepts its findings and recommendation. Defendants' motions to dismiss and for judgment on the pleadings (Doc. 34) are denied. Defendant University of Texas Medical Branch is ordered to answer the lawsuit within 14 days of the date of entry of this order. Fed. R. Civ. P. 12(a)(4)(A).

*So ordered by the court on January 12, 2023.*

  
\_\_\_\_\_  
J. CAMPBELL BARKER  
United States District Judge